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Stephen Bishop,)	No. CV 08-964-PHX-SMM (JRI)
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Plaintiff,)	ORDER
)	
vs.)	
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)	
Dora B. Schriro, et al.,)	
)	
Defendants.)	
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)	

Motions for reconsideration should be granted only in rare circumstances. Defenders of Wildlife v. Browner, 909 F. Supp. 1342, 1351 (D.Ariz. 1995). “Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.” School Dist. No. 1J, Multnomah County v. ACandS, Inc., 5 F.3d 1255, 1263 (9th Cir. 1993). Such motions should not be used for the purpose of

1 asking a court “to rethink what the court had already thought through — rightly or
2 wrongly.” Defenders of Wildlife, 909 F. Supp. at 1351 (quoting Above the Belt, Inc. v. Mel
3 Bohannon Roofing, Inc., 99 F.R.D. 99, 101 (E.D.Va. 1983)). Further, the failure to properly
4 brief an issue does not warrant granting a motion to reconsider. Motorola, Inc. v. J.B. Rogers
5 Mechanical Contractors, Inc., 215 F.R.D. 581, 586 (D. Ariz. 2003)

6 In his Motion for Reconsideration, Plaintiff essentially resubmits arguments made in
7 the original Complaint; he does not present the Court with newly discovered evidence nor
8 does he assert that there has been an intervening change in controlling law. The Court has
9 reviewed Plaintiff’s Complaint, the screening Order, and Plaintiff’s Motion for
10 Reconsideration and finds no reason to reconsider its dismissal of Counts I and III of the
11 Complaint.

12 **IT IS THEREFORE ORDERED** that Plaintiff’s June 27, 2008 Motion for
13 Reconsideration (Doc. #7) is **DENIED**.

14 DATED this 28th day of July, 2008.

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18 Stephen M. McNamee
19 United States District Judge
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